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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/689,991	10/13/2000	Bijan Farhang	Farhang 3-2/LUC-295	1021

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EXAMINER

FERGUSON, KEITH

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 09/23/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/689,991

Applicant(s)

FARHANG ET AL.

Examiner

Keith T. Ferguson

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 July 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3,5,7-10,12,14, and 15 are rejected under 35 U.S.C. 102(e) as being anticipated by Griffith et al..

The claimed invention reads on Griffith et al. as follows:

Griffith et al. discloses a method, comprising the steps of assigning a first number (538-3901) to a mobile station (112) that upon location of the mobile station at a first location (103) allows connection to the mobile station of a call that employs the first number (col. 2 lines 54-58); and assigning a second number (538-1902) to the mobile station (112) that upon location of the mobile station at a second location (104) allows connection to the mobile station of a call that employs the second number (col. 3 lines 10-16), wherein the second number (538-1902) differs from the first number (538-1901), wherein the second location (104) differs from the first location (103) (location 103 and location 104) (col. 3 lines 1-35).

Regarding claims 2 and 9, Griffith et al. discloses the step of selecting the second location to comprise a location that is noncontiguous (separate location or different room) with the first Location (fig. 1 number 103 and 104).

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Regarding claims 3 and 10, Griffith et al. discloses the step of selecting the first number to correspond to a first user zone that comprises the first location (col. 2 lines 54-58); and the step of selecting the second number to correspond to a second user zone that comprises the second location (col. 3 lines 10-18), wherein the second user zone differs from the first user zone (separate locations or different rooms) (fig. 1 number 103 and 104).

Regarding claims 5 and 12, Griffith et al. discloses the step of selecting the second number to allow only calls that employ the second number (538-1902) to be, contemporaneously with location of the mobile station in a temporary user zone (based upon the fix unit in area 104) that comprises the second location, originated and/or terminated in the temporary user zone (based upon the fix unit in area 104) (col. 2 lines 26-58 and col. 3 lines 1-34).

Regarding claims 7 and 14, Griffith et al. discloses step of assigning a particular number to the mobile station that upon location of the mobile station at any one of a plurality of locations allows connection to the mobile station of a call that employs the particular number (fig. 2 and col. 3 lines 1-26), wherein the particular number differs from the first number, wherein each location of the plurality of locations differs from the first location (fig. 2 and col. 3 lines 1-26).

Regarding claims 8 and 15, Griffith et al. discloses a system controller (wireless switching center)(an article) (fig. 1 number 111), comprising a controller component (wireless switching center)(computer-readable signal bearing medium) that assigning a first number to a mobile station that upon location of the mobile station at a first location allows connection to the mobile station of a call that employs the first number (col. 2 lines 54-58 and col. 3 lines 1-35); a controller component (wireless switching center) that assigning a second number to the mobile station that upon location of the mobile station at a second location allows connection to the mobile station of a call that employs the second number (col. 3 lines 1-35), wherein the second number (538-1902) differs from the first number (538-1901), wherein the second location differs from the first location (location 103 and location 104) (col. 3 lines 1-35).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Griffith et al. in view of Bansal et al..

Regarding claims 4 and 11, Griffith et al. discloses a method as discussed supra in claims 1 and 8 above. Griffith et al. differs from claims 4 and 11 of the present invention in that it do not disclose the step of selecting a discounted billing rate for the call that employs the second number. Bansal et al. teaches the step of selecting a discounted billing rate for the call that employs the second number (col. 5 lines 40-56 and col. 6 lines 1-12). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Griffith et al. with the step of selecting a discounted billing rate for the call that employs the second number in order to save money based upon a calling plan between the wireless terminal and its carrier, as taught by Bansal et al..

5. Claims 6 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Griffith et al. in view of Chavez, Jr..

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Regarding claims 6 and 13, Griffith et al. discloses a method as discussed supra in claims 1 and 8 above. Griffith et al. differs from claims 6 and 13 of the present invention in that it do not disclose the step of directing to voice mail, upon location of the mobile station at the second location, a call that employs the first number. Chavez, Jr. Teaches the step of directing to voice mail, upon location of the mobile station at the second location (wireless terminal leaves first location), a call that employs the first number (col. 5 lines 34-50). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Griffith et al. with the step of directing to voice mail, upon location of the mobile station at the second location, a call that employs the first number in order for the wireless terminal to replay the first number message and decide whether to respond to the message, as taught by Chavez, Jr..

6. Claims 16,17,20-22 and 24 are rejected under 35 U.S.C.

103(a) as being unpatentable over Griffith et al. in view of Thibert et al..

Regarding claims 16,20,22 and 24, Griffith et al. discloses a method (fig. 5), system controller/article (fig. 1 number 111), comprising: a computer-readable signal-bearing medium (fig. 1 number 111), comprising the steps of a controller assigning to a mobile station (112) a number (538-3901) that upon location of the mobile station at any one or more of a temporary user zone (fig. 1 numbers 103 and 104) (col. 2 lines 53-58) and a base user zone (fig. 1, zone area around base station 121 and 122) allows connection to the mobile station (112) of a call that employs the number (538-3901) (col. 2 lines 53-58 and col. 3 lines 1-35). Griffith et al. differs from claims 16,20,22 and 24 of the present invention in that it do not disclose a controller selecting the number to comprise fewer than seven digits. Thibert et al. teaches a controller (service control point (SCP)) for selecting the number to comprise fewer than seven digits (col. 2 lines 48-52; col. 7 lines 29-34 and col. 11 lines 45-48). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide Griffith et al. with selecting the number to comprise fewer than seven digits in order to assign the location of the mobile station a speed dial number so that the calling party would not

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have to remember the mobile station location telephone number, as taught by Thibert et al..

Regarding claim 17, Griffith et al. discloses the temporary user zone to comprise a user zone 9 (fig. 1 number 103) that is noncontiguous (separate) with the base user zone (area around base station) (fig. 1 number 121).

Regarding claim 21, Griffith et al. discloses the step of a controller for selecting the temporary user zone comprise a zone that is noncontiguous (separate location or different room) with the base user zone (fig. 1 number 103 and area around base station).

7. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Griffith et al. in view of Thibert et al. as applied to claim 16 above and in further view of Fenton et al.

The combination of Griffith et al. and Thibert et al. differs from claim 18 of the present invention in that they do not disclose an abbreviated number that upon location of the mobile station at the any one or more of the temporary user zone and the base user zone allows connection to the mobile station of a call that employs the abbreviated number. Fenton et al. teaches an abbreviated number (short code) that upon location of the mobile station at the any one or more of the temporary user zone (network 1 and network 2) and the base user zone allows connection to the mobile station of a call that employs the abbreviated number (col. 6 lines 2-18). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the combination of Griffith et al. and Thibert et al. with an abbreviated number that upon location of the mobile station at the any one or more of the temporary user zone and the base user zone allows connection to the mobile station of a call that employs the abbreviated number in order speed dial a distant caller based upon its location, as taught by Fenton et al..

8. Claims 19 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Griffith et al. in view of Thibert et

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al. as applied to claims 16 and 20 above and in further view of Fitch et al..

The combination of Griffith et al. and Thibert et al. differs from claims 19 and 23 of the present invention in that they do not disclose one or more of a business user zone and a home user zone. Fitch et al. teaches a business user zone (fig. 1 number 30c) and a home user zone (fig. 1 number 30a) (col. 6 lines 26-43). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the combination of Griffith et al. and Thibert et al. with one or more of a business user zone and a home user zone in order to assign a special rate billing plan to area of the wireless terminal, as taught by Fitch et al..

Response to Arguments

9. Applicant's arguments filed July 7, 2003 have been fully considered but they are not deemed to be persuasive. The following are explanations to the applicant arguments:

10. Argument: Applicant alleges that Griffith et al. teaches that when a wireless terminal enters a new location, the telephone number assigned to the wireless terminal is automatically changed to be a telephone number assigned to that location.

Explanation: Examiner agrees with applicant. However, the examiner only addressed what was disclosed in the claims. For example, claim 1, recites a method comprising the steps of: assigning a first number to a mobile station that upon location of the mobile station at a first location allows connection to the mobile station of a call that employs the first number; and assigning a second number to the mobile station that upon location of the mobile station at a second location allows connection to the mobile station of a call that employs the second number, wherein the second number differs from the first number, wherein the second location differs from the first location. However, even though the telephone number changes when the mobile unit moves into different location, the mobile station

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is still assigned a telephone number for that location. The examiner reads the limitation "assigning a first number to a mobile station that upon location of the mobile station at a first location allows connection to the mobile station of a call. Griffith et al. teaches this in (col. 2 lines 53-58 and col. 3 lines 10-17) based upon the mobile location which moves into location 103 or 104, it is assigned a telephone number for that location (col. 2 lines 53-58 and col. 3 lines 10-17). It does not make a difference if the telephone number changes base upon mobile station location, the claim reads "assigning a first number to a mobile station that upon location of the mobile station at a first location allows connection to the mobile station of a call" which Griffith et al. teaches.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. . 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. . 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.


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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Keith T. Ferguson whose telephone number is (703) 305-4888. The examiner can normally be reached on 6:30am-5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Keith Ferguson 
Art Unit 2683
September 9, 2003


WILLIAM TROST
SUPERVISORY PATENT EXAMINER
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